Hovsepian v. Apple, Inc.
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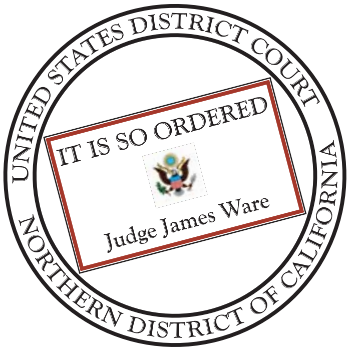
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
Judge James Ware

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

In re ACACIA MEDIA TECHNOLOGIES CORPORATION	Case No. C-05-01114 JW **STIPULATION AND ~~[PROPOSED]~~ ORDER RE EXPERT DISCOVERY** Judge: Honorable James Ware

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STIPULATION

The undersigned parties stipulate as follows:

1. The following expert materials shall not be discoverable in this litigation:

   a. Oral or written communications between an expert witness, on the one hand, and the party or parties who retained the expert, or their attorneys or representatives, on the other;

   b. Drafts of expert reports or declarations; and

   c. Notes, memoranda, and other writings of an expert witness prepared in connection with the expert's engagement.

2. This stipulation does not preclude any party from questioning an expert witness about the circumstances surrounding the drafting of any expert report or declaration, including without limitation how much time the expert spent drafting the report or declaration, whether particular language was suggested by others, and so forth.

IT IS SO STIPULATED.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: Sept. 01, 2005

By: /s/ James Ware
JAMES WARE
UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I, Chuesca M. Tartalone, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 555 West Fifth Street, Suite 4600, Los Angeles, California 90013-1025. On August 26, 2005, I served a copy of the within document(s):

STIPULATION AND [PROPOSED] ORDER RE EXPERT DISCOVERY

☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. on the **attached Service List**

X by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth on the **attached Service List**

☐ by placing the document(s) listed above in a sealed _________ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a agent for delivery.

☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 26, 2005, at Los Angeles, California.

/s/
Chuesca Tartalone

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